

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Implementing Public Safety Broadband)	PS Docket No. 12-94
Provisions of the Middle Class Tax Relief and)	
Job Creation Act of 2012)	
)	
Implementing a Nationwide, Broadband,)	PS Docket No. 06-229
Interoperable Public Safety Network in the 700)	
MHz Band)	
)	
Service Rules for the 698-746, 747-762 and)	WT Docket No. 06-150
777-792 MHz Bands)	

COMMENTS OF ALCATEL-LUCENT

Alcatel-Lucent submits these comments in response to the above-captioned Notice of Proposed Rulemaking (“NPRM”) seeking comment on rules governing the 700 MHz public safety broadband network (“PSBN”) to be operated by the First Responder Network Authority (“FirstNet”).

A. Technical Rules for the PSBN Should Mirror Technical Rules for Commercial Services to the Extent Possible

Alcatel-Lucent has been a steadfast supporter of the public-private partnership framework to implement an interoperable, nationwide PSBN. Alcatel-Lucent supports the use of interoperable, open-standards-based, commercial broadband technologies in the PSBN to protect the life, health and safety of our Nation’s First Responders and citizens. Our proposal to dedicate the data portion of the U.S. Public Safety 700 MHz spectrum to a broadband-only block, submitted to the Commission in 2005, helped pave the way for the nationwide PSBN, which FirstNet was created to implement in the Middle Class Tax Relief

and Job Creation Act of 2012.¹ Alcatel-Lucent currently is partnering with the City of Charlotte to build out the City's public safety LTE broadband network that is 3GPP-compliant, an important step toward the nationwide PSBN deployment. Alcatel-Lucent is thus distinguished for real-world experience designing and implementing a mission-critical, interoperable PSBN using LTE technology.

Consistent with its prior advocacy in this docket, Alcatel-Lucent agrees with the Commission's proposal to consolidate the technical rules for the D Block and existing public safety broadband spectrum so the entire FirstNet spectrum allocation is subject to a common set of rules.² Alcatel-Lucent further supports that the newly unified technical rules governing FirstNet's operations mirror commercial operations in the 700 MHz band to the maximum extent possible. The proposal to move technical service rules from Part 27 to Part 90 achieves this. Specifically, Alcatel-Lucent concurs with the Commission's specific proposals as they apply to power limits, antenna height limits, and emissions limits, including consolidation of emissions limits supporting operation of Global Positioning Satellite L1 receivers.³ With respect to field strength limits,⁴ we do not recommend regulating field strength limits for the PSBN at this time. In particular, from a Radio Frequency ("RF") planning perspective, there is an expectation that FirstNet, as the nationwide licensee, will provide RF guidelines for interference management (e.g. definition of overlapping areas) to ensure the sum of overall individual deployments form a virtual single footprint.

¹ See Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156 (2012) (the "Act").

² NPRM at ¶ 17.

³ *Id.* ¶¶ 18-25.

⁴ *Id.* ¶ 26.

B. Commission Oversight and FirstNet License Conditions Should be Addressed in a Future Rulemaking

The Commission notes early in the NPRM its intention to initiate additional proceedings on the Commission's "additional responsibilities in connection with its licensing of FirstNet and other provisions under the Act."⁵ Later, the NPRM nevertheless poses questions specifically regarding Commission oversight of FirstNet, including conditions for license renewal, reporting obligations and potential build-out requirements.⁶

Alcatel-Lucent respectfully suggests that these specific questions and additional questions of Commission authority over FirstNet should be addressed together in a subsequent rulemaking. FirstNet is just getting its footing, hiring a General Manager only last month, and is still working to formulate a business model. FirstNet should have the opportunity to further gather information on preferences of state and local first-responders, existing infrastructure to be incorporated into the network, and potential PPP opportunities before the Commission considers regulatory obligations, such as build-out and reporting requirements. While Alcatel-Lucent *does* believe that the Commission can and should play an important oversight role in the PSBN, we recommend the Commission confine the current proceeding to technical rules and address Commission jurisdictional and FirstNet licensing issues in a future proceeding.

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⁵ *Id.* n.6.

⁶ *Id.* ¶¶ 42-46.

C. Conclusion

For the foregoing reasons, Alcatel-Lucent requests the Commission adopt technical rules as described above and address all questions of Commission oversight and FirstNet licensing conditions in a future proceeding.

Respectfully submitted,

Alcatel-Lucent

/s/

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